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UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

In Re Applications of:)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No.: BRCT-940407KF
)	
For Renewal of License of)	
Station WTVE(TV), Channel 51)	
at Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	File No.: BPCT-94063KG
CORPORATION)	
)	
For Construction Permit for)	
a New Television Station to)	
Operate on Channel 51,)	
Reading, Pennsylvania)	

Volume: 7

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Date: January 6, 2000

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Before the
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Washington, D.C. 20554

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Reading, Pennsylvania)	

Room TW-A-363
FCC
445 12th Street, N.W.
Washington, D.C. 20554

Thursday,
January 6, 2000

The parties met, pursuant to the notice of the
Judge, at 9:30 a.m.

BEFORE: HONORABLE RICHARD L. SIPPEL
Administrative Law Judge

APPEARANCES:

On Behalf of Reading Broadcasting, Inc.:

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I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Kimberly G. Bradley	375	452 493	499	--	377 428 447
Jane E. Gilmore	503	--	--	--	504

Examination by the Judge: (None.)

Hearing Began: 9:30 a.m.	Hearing Ended: 4:00 p.m.
Recess Began: 12:05 p.m.	Recess Ended: 1:30 p.m.

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Reading:</u>			
Exhibit 8 -			
Appendix B	(Prev.)	452	--
Appendix A	(Prev.)	507	--
Appendix C	508	508	--
Appendix D	508	508	--
Appendix E	509	509	--
Appendix F	510	510	--
Appendix G	510	510	--
Appendix H	510	510	--
Appendix I	511	511	--
Appendix J	511	511	--
Appendix K	511	511	--
Appendix L	512	512	--
Appendix M	512	512	--
Appendix N	513	513	--
Appendix O	513	513	--
Appendix P	514	514	--
Appendix Q	514	514	--
Appendix R	514	514	--
Appendix S	515	515	--
Appendix T	518	518	--
Appendix U	516	516	--
Appendix V	516	516	--
Appendix W	517	517	--
Appendix X	517	517	--
Exhibit 14	518	--	518
<u>Adams:</u>			
9	387	394	--
10	394	397	--

1 for just a minute and find out exactly what we are going to
2 be done.

3 (Discussion off the record.)

4 JUDGE SIPPEL: Mr. Hutton, what is your first
5 proffer this morning?

6 MR. HUTTON: Our first what?

7 JUDGE SIPPEL: Proffer, what are you bringing up
8 here? What's in the box?

9 MR. HUTTON: It's substitute pages for Volumes 3
10 through 10.

11 JUDGE SIPPEL: Three through 10. All right.
12 That's Volume 3.

13 What else is in the box? Four, five, six, seven,
14 eight, nine, ten?

15 MR. HUTTON: Right.

16 JUDGE SIPPEL: All right. Let's go -- I'm
17 acknowledging that these have been received up here, and
18 there are also going to be copies of these given to counsel
19 and copies to the reporter; is that correct?

20 MR. HUTTON: Yes, that's right.

21 JUDGE SIPPEL: All right. Let's do this. Let's
22 go off the record.

23 (Discussion off the record.)

24 JUDGE SIPPEL: Back on the record.

25 MR. HUTTON: I would like to let Mr. Sifers take

1 the lead in providing substitute pages pursuant to the
2 copying discrepancies that were noted during the admissions
3 session.

4 JUDGE SIPPEL: Thank you.

5 MR. SIFERS: The first page is just for the court
6 reporter. They are just the declaration page of Kim
7 Bradley for Exhibit 8, Appendix B, that we're missing. They
8 were only missing in her particular exhibits, and the Judge
9 as well.

10 (Pause.)

11 JUDGE SIPPEL: Okay, I notice we do have a new
12 reporter this morning, so you might want to be sure that she
13 has all your names. Everybody that was here when he
14 recessed on Tuesday is here again.

15 MR. SIFERS: The next item, Mr. Shook was missing
16 1993 of a coverage map in Exhibit 13, so I have that.

17 MR. SHOOK: Thank you.

18 JUDGE SIPPEL: All right.

19 MR. SIFERS: The next item, a new page 2 for
20 Exhibit 5, and these were revised because of the changes
21 that we introduced on January 4th to the spreadsheets, so we
22 have new page 2 for Exhibit 5 for everyone.

23 (Pause.)

24 MR. SIFERS: The next item is there was a missing
25 page 2 for the 1991 ownership report. It's in Exhibit 11.

1 (Pause.)

2 THE COURT REPORTER: What's --

3 MR. SIFERS: It's new. We didn't have one.

4 THE COURT REPORTER: Where does it go? How many
5 pages are in --

6 MR. SIFERS: The 1991 ownership report -- we have
7 all the ownership reports together. This is 1991, page 2.

8 JUDGE SIPPEL: All right, we have that.

9 MR. SIFERS: Okay, the next item are new pages 2
10 and 4 for the 1997 ownership report. These are new pages.
11 They were not in there originally. They were missing.

12 MR. BECHTEL: Which report was that?

13 MR. SIFERS: 1997 ownership report.

14 (Pause.)

15 MR. SIFERS: There is probably another page 3 in
16 there.

17 (Pause.)

18 MR. SIFERS: And then finally, we have pages 2 and
19 4 for the 1998 ownership report that were missing.

20 (Pause.)

21 JUDGE SIPPEL: All right, is that it on the
22 corrections?

23 MR. SIFERS: That's it on the corrections.

24 JUDGE SIPPEL: Okay, for the record, all those
25 corrections are accepted.

1 MR. HUTTON: Thank you, Your Honor.

2 One additional item had to do with a question
3 about a date on a discrepancy's report. If you will recall,
4 there was a discrepancy between January and February of a
5 particular log, and Mr. Sifers will address that as well.

6 MR. SIFERS: The discrepancy was in Appendix B to
7 Exhibit 8. When we got back to one of the composite days
8 that was chosen was Friday, February 11, 1994, and as Mr.
9 Shook pointed out, the TV Discrepancies and Equipment
10 Failure Report that was attached to the front of that has a
11 date of Friday, January 11, 1994.

12 JUDGE SIPPEL: Friday, February 11, '94.

13 MR. SIFERS: Right, but the first two pages under
14 the TV Discrepancies and Equipment Report say Friday,
15 January 11th.

16 JUDGE SIPPEL: Yes. Go head, the discrepancy
17 report says Friday, January 11, 1994.

18 MR. SIFERS: Yes, and the log says Friday,
19 February 11, 1994.

20 JUDGE SIPPEL: Right.

21 MR. SIFERS: The correct date is Friday, February
22 11, 1994. We pulled the calendar from that period, and it
23 appears that it was just a human error on the TV Discrepancy
24 and Equipment Failure Report because there is no Friday,
25 January 11th date in 1994. January 11th in 1994 was

1 actually a Monday -- a Tuesday, excuse me. So it appears
2 that that particular date for that log was just an error.

3 We're actually not relying on the TV Discrepancies
4 and Equipment Failure Report for information in terms of
5 what they did in programming. It's included here because
6 that was part of what was in the public file attached to
7 that program log for that date.

8 JUDGE SIPPEL: Do you want us to just line through
9 January and write in February?

10 MR. SIFERS: That would be fine.

11 JUDGE SIPPEL: Does anybody have any objection to
12 doing that? Just be sure that, you know, somebody does it
13 for the reporter.

14 MR. BECHTEL: On that same log, if it please the
15 Court.

16 JUDGE SIPPEL: Yes, sir.

17 MR. BECHTEL: Page 3 on my copy is dated Friday,
18 February 3, 1994.

19 JUDGE SIPPEL: All right.

20 MR. SIFERS: According to my calendar, there is no
21 Friday, February 3, 1994. It's a Thursday.

22 MR. SHOOK: So for the moment we should just
23 change the 3 to an 11?

24 MR. HUTTON: It seems to fit in timewise.

25 JUDGE SIPPEL: The time sequence is consistent,

1 isn't it?

2 MR. HUTTON: What's that?

3 JUDGE SIPPEL: The time sequence is consistent?

4 MR. HUTTON: It is.

5 JUDGE SIPPEL: It's consistent.

6 MR. HUTTON: It is.

7 JUDGE SIPPEL: Okay, Mr. Bechtel, you get the
8 award. You picked it out. I'm going to do the same thing.
9 We'll change the 3 to an 11.

10 MR. HUTTON: Okay.

11 JUDGE SIPPEL: Any objection to that?

12 MR. BECHTEL: Subject to check. We're bringing
13 all of our logs over here later on today.

14 JUDGE SIPPEL: All right. I appreciate that. I
15 am going to make the change now in my copy. I will permit
16 the reporter, or Ms. Gilmore, if you want to make the change
17 on the reporter's copy, and then I will leave that up to Mr.
18 Bechtel to point out any further discrepancy on that, if
19 there is any; hopefully not.

20 Does that conclude the corrections?

21 MR. SIFERS: Yes, it does.

22 MR. HUTTON: Yes, sir.

23 JUDGE SIPPEL: All right. I just want to make one
24 preliminary announcement in light of -- I am working on
25 this, you know, this motion to add issues with respect to

1 abuse of process against Adams, and I am finding it more and
2 more a need to hear testimony on that issue -- not on the
3 issue but on the subject.

4 In other words, what I would like to do, in the
5 same context that Mr. Parker is going to be cross-examined
6 with respect to the change of ownership question, not that
7 there was a change of ownership, but that -- I would want
8 Mr. Gilbert to be cross-examined with respect to the steps
9 that were taken in terms of the formation of the
10 partnership, and how they got into this case, and what they
11 did to check on the -- to review the program of the station
12 at the time -- well, you know, that's basically what I want
13 to hear.

14 Now, we don't have any written testimony for Mr.
15 Gilbert but he has been noticed for cross-examination.
16 Would you be able to work with the deposition, I take it, on
17 that subject? I'm asking you, Mr. Hutton. You've noted him
18 for cross-examination.

19 MR. HUTTON: Yes, I would welcome the opportunity
20 to cover that area during his testimony.

21 JUDGE SIPPEL: All right. Now, if you want to
22 make an objection that, Mr. Bechtel, I'll note the objection
23 but I want to hear what Mr. Gilbert has to say.

24 MR. BECHTEL: I would defer to Mr. Cole on that.

25 JUDGE SIPPEL: Well, if you want to wait and think

1 about it after lunch and come back. I'm just trying to give
2 you notice up front so that people can be prepared. You've
3 got work to do for Mr. Parker over the weekend. Mr. Gilbert
4 is going to be coming in after Mr. Parker. So I'm saying
5 that, you know, now is your -- here is your notice so that
6 you can prepare for this.

7 If you want to make an objection for the record, I
8 can --

9 MR. COLE: Your Honor, I would like to defer if I
10 could --

11 JUDGE SIPPEL: Sure.

12 MR. COLE: -- until after the lunch break, and
13 I'll get back to you on that.

14 JUDGE SIPPEL: Sure.

15 Is that it then on the preliminaries?

16 Yes, Mr. Bechtel?

17 MR. BECHTEL: On sequestration of witnesses, I'm
18 not clear how many we have in the room at this point. We
19 have Ms. Gilmore, Mr. Kase. Are there any other witnesses
20 in the room?

21 MR. HUTTON: Ms. Bradley is our --

22 MR. BECHTEL: I'm sorry. Ms. Bradley. Once you
23 get on the stand, that's what I was thinking about.

24 MR. HUTTON: I had anticipated that we would
25 excuse our two subsequent witnesses once we put Ms. Bradley

1 on the stand. In other words, I'm willing to agree to the
2 sequestration rule.

3 MR. BECHTEL: Well, I have no desire to split Ms.
4 Gilmore, but I think her testimony will be useful to her
5 work, and Mr. Kase, is free to stay as far as I'm concerned.
6 His testimony is so discrete. I don't know Mr. Mattmiller.
7 I assume he's not here.

8 MR. HUTTON: He's not here.

9 MR. BECHTEL: I do know Mr. Parker and I know he's
10 not here.

11 MR. HUTTON: Right.

12 JUDGE SIPPEL: I would sooner keep with as close
13 to sequestration as we can. I agree with respect to Ms.
14 Gilmore but we do have a witness room two doors down, and
15 Ms. Parker will escort you there this morning, and, you
16 know, we will get word down to you when it's time for you to
17 come on the stand.

18 And again, the witness should not be discussing
19 testimony either as long as the Reading case is open.

20 MR. HUTTON: So you are asking that Mr. Kase
21 leave?

22 JUDGE SIPPEL: Yes.

23 MR. HUTTON: Okay.

24 JUDGE SIPPEL: Yes. Do you want to proceed now
25 with your first witness?

1 MR. HUTTON: Yes, I would. I would like to call
2 Kimberly Bradley to the stand.

3 JUDGE SIPPEL: Ms. Bradley, raise your right hand,
4 please.

5 Whereupon,

6 KIMBERLY G. BRADLEY

7 having been duly sworn, was called as a witness
8 and was examined and testified as follows:

9 JUDGE SIPPEL: Please be seated.

10 DIRECT EXAMINATION

11 BY MR. HUTTON:

12 Q Ms. Bradley, will you state your name for the
13 record?

14 A Kimberly G. Bradley. Kimberly is with a L-E-Y.

15 Q And do you have a copy of your testimony in this
16 case before you?

17 A Yes, I do, sir.

18 Q Is that the testimony of Kimberly G. Bradley
19 without any appendices?

20 A Without any what? Excuse me?

21 Q Appendices.

22 A Yes, it's without the appendices.

23 But I do have the calculations or do you want more
24 than that? I have the -- I go up to page 10.

25 Q All right. I think I would like to provide you

1 with Binder 1.

2 A Okay.

3 Q And Binder 2.

4 (Pause.)

5 JUDGE SIPPEL: We have water there if you want to
6 some pour some water.

7 THE WITNESS: Actually, I would. Thank you.

8 JUDGE SIPPEL: Take the top out before you pour.

9 THE WITNESS: I will.

10 (Pause.)

11 BY MR. HUTTON:

12 Q Ms. Bradley, in Binder 1, if you would turn to
13 Exhibit 8, there is a 10-page exhibit followed by a
14 supporting declaration.

15 Do you see that material?

16 A Excuse me. Yes, I do.

17 Q Okay. And is that your signature?

18 A Yes, it is.

19 Q All right. And do you have any corrections to
20 make to the exhibit at this time?

21 A No, I don't.

22 Q In Binder 2, turning to tab B.

23 A Okay.

24 Q There is an Appendix B which consists of nine
25 pages of text followed by five pages of FCC public notices,

1 followed by your supporting declaration.

2 And is that your signature?

3 A Yes, it is.

4 Q All right. And do you have any changes to make to
5 Appendix B?

6 A No, I don't.

7 MR. HUTTON: All right. Your Honor, Ms. Bradley
8 is available for cross-examination.

9 JUDGE SIPPEL: Mr. Bechtel.

10 VOIR DIRE

11 BY MR. BECHTEL:

12 Q I want to express admiration for the work that you
13 and Ms. Gilmore have done in the packaging of your exhibit
14 and the contents. It really is an outstanding job and your
15 company and your client is well served.

16 It's really comprehensive, and I don't have any
17 questions on that today.

18 Q Okay.

19 Q I do have a procedural question with regard to
20 Appendices C through W.

21 A Okay.

22 Q Which were the quarterly reports.

23 A Okay.

24 Q Were the quarterly reports in those exhibits
25 prepared contemporaneously with the events, that is to say,

1 at least within 10 days after the close of the quarter?

2 A Okay. As far as what's in each notebook, I'm not
3 sure exactly how they are set up I just gave the
4 information for it, and it was put in the notebooks. But as
5 far as for the quarterly reports, they were January 1st,
6 April 1st, right down the line. We had them in. If they
7 weren't completely typed, we still had all the information
8 in, and the completed typed ones were in by the 10th of each
9 quarter.

10 Q And within the quarter itself, did you wait until
11 the end of the quarter to do this or did you --

12 A It depended. It depended on the time frame.
13 Sometimes we would put weekly affidavits, depending on what
14 the computer or when they were handtyped. We would put them
15 in weekly and just put them in the general area, and then we
16 would file them. Sometime we did them monthly. It all
17 depended on the system we were using at the time since it is
18 a four-year period.

19 Q Now, did you ever have a procedure whereby the
20 computer which established the material on the program log
21 also was the same computer data source which provided the
22 affidavits that are in the quarterly reports?

23 A I can tell you right off the bat, probably -- we,
24 at least as far to my knowledge, we in those years were all
25 handtyped, went through the program log, got the

1 information, and we handtyped them because we didn't have
2 computers at that time. It was a different type of -- it
3 just did the program log.

4 Q And which three years did you --

5 A I'm speculating right now. So it would probably
6 be the first three years of this time frame you're talking
7 about.

8 Q And in the latter part of the time frame --

9 A Once we got computers, but I'm not sure of that
10 exact date. It was some time within that time period.

11 Q It was in the latter part of the license term that
12 you had the computers?

13 A Most likely, yes.

14 Q And I've spent more time than I really ever
15 anticipated in comparing logs to affidavits.

16 A Mm-hmm.

17 Q And I must say beginning in 1992, '93, '94, the
18 affidavits and the logs matched very well and the affidavits
19 were much more -- seemed to be much more voluminous and
20 more --

21 A In the beginning part?

22 Q Is my impression generally correct?

23 A I wasn't aware that there was any difference in
24 it, but that was when it was hand -- probably when it was
25 mostly likely hand done.

1 Q Now, perhaps my question is not clear.

2 My impression was that the correlation between the
3 log and the affidavit, and the presentation of the
4 affidavits in the quarterly report improved and were more
5 expansive during the latter part --

6 A Oh, during the latter period.

7 A The latter part --

8 A I got you now. Yes.

9 MR. HUTTON: I object to the question. I don't
10 think there is any foundation that's been laid for the
11 alleged improvement.

12 JUDGE SIPPEL: Well, this is voir dire. I mean,
13 he is going into some mechanical questions on voir dire. He
14 doesn't have to lay a foundation for it.

15 BY MR. BECHTEL:

16 Q During the latter part of the license term, my
17 impression was --

18 A Okay.

19 Q -- that the affidavits in the quarterly reports
20 were comprehensive in the sense that they were complete
21 throughout each quarter, and when I tried to correlate the
22 program log entry with an affidavit entry, I found a high
23 degree of correlation.

24 A That's good.

25 Q Now, in your view, was my impression accurate?

1 A Yeah, most likely. I never completely sat down
2 and correlated each and every single thing. We do a
3 general, general look at the information and the affidavits.
4 But we actually, like those were a different department, the
5 traffic department.

6 Q Now, in your direct written testimony where you
7 said that the quarterly list didn't have everything that was
8 on the log and so therefore the count of program time, based
9 upon the quarterly reports, might be a little understated.

10 A Are you talking about what -- what are you -- I'm
11 losing you. You're talking about what's in my deposition?

12 Q No, ma'am. I'm talking about Exhibit --

13 A Oh, my testimony.

14 JUDGE SIPPEL: No, just listen to his question.

15 THE WITNESS: Okay.

16 JUDGE SIPPEL: He will rephrase it if you don't
17 understand it.

18 THE WITNESS: Okay.

19 MR. BECHTEL: Mrs. Bechtel does that to me a lot.

20 (Laughter.)

21 JUDGE SIPPEL: The witness can disregard that.

22 MR. BECHTEL: Bear with me for one minute.

23 THE WITNESS: Mm-hmm.

24 (Pause.)

25 //

1 BY MR. BECHTEL:

2 Q Look at page 9.

3 JUDGE SIPPEL: Is that of her testimony?

4 BY MR. BECHTEL:

5 Q Of Exhibit 8, that's correct, and on the third, on
6 the third line there is a sentence which reads --

7 A You said Exhibit A?

8 JUDGE SIPPEL: No, eight.

9 MR. BECHTEL: Eight. I apologize. Your narrative
10 testimony.

11 THE WITNESS: I am really having problems hearing
12 everybody right now. I have fluid in my one ear.

13 MR. BECHTEL: All right.

14 JUDGE SIPPEL: He said page 9 of your written
15 testimony.

16 THE WITNESS: Okay, go ahead.

17 BY MR. BECHTEL:

18 Q Third line from the top, there is a sentence which
19 reads, well, you can read it to yourself.

20 A Mm-hmm.

21 (Witness reviews document.)

22 THE WITNESS: Okay. That's --

23 BY MR. BECHTEL:

24 Q Particularly after you got your program, computer
25 program in effect --

1 A That's an easy statement to explain to you.

2 Basically, a lot of the Issues and Programs
3 Reports say that it was community outreach, it was "Man on
4 the Street," it was whatever program, but it doesn't say all
5 the public service work that went into it. It doesn't -- it
6 doesn't say exactly what the program is about. Some of them
7 may say it's about alcoholism. Some of them may say it's
8 about volunteerism, but it may not say everything about the
9 whole issue.

10 Q So there is not on the log the information
11 regarding the nature of the program that one would find in
12 the program reports?

13 A Yeah, it may -- it may just say "alcoholism," but
14 you may not know that it's -- you know, how to get help for
15 alcoholism, how to do this, how to do this, this, and this.
16 So it may just give a very generic in the logs. We wouldn't
17 have room for everything else.

18 Q And that's all you were referring to here?

19 A Let me read it again, but as far as -- that's the
20 only thing I could think of I was referring to there.

21 Q Okay.

22 JUDGE SIPPEL: This is the sentence that starts
23 out, "Because WTVE each quarterly issues"?

24 THE WITNESS: Mm-hmm.

25 JUDGE SIPPEL: Is that the one we're talking

1 about?

2 THE WITNESS: "...and program lists do not reflect
3 all the public service programming indicated by WTVE's log."

4 And I mean --

5 MR. BECHTEL: I'm sorry. You were answering the
6 Judge's question.

7 JUDGE SIPPEL: Yes, that's right. I just wanted
8 to be sure that I was on the right line.

9 THE WITNESS: Yes, that's -- yes, that's the right
10 line.

11 JUDGE SIPPEL: Counsel will ask you the questions.

12 BY MR. BECHTEL:

13 Q So to be precise --

14 A Mm-hmm.

15 Q -- you were not referring to the fact that the
16 program logs might have additional quantities of public
17 service contents --

18 A They shouldn't

19 Q -- that is not reflected in --

20 A No, I wasn't -- no, because the affidavits should
21 match exactly what the program logs do.

22 Q Thank you.

23 A But there is always room for human error.

24 Q And it's true, is it not, there is also room for
25 human error both ways. The computer could have scheduled

1 something on the log and there might have been an
2 interruption on the program log, and it never ran?

3 A And that would be mentioned in the discrepancy
4 report. It would be a crossed out section and then on the
5 discrepancy report it would say "Due to" either like the
6 transmitter is being worked on, due to anything that could
7 have come up, but it's usually mentioned in the discrepancy
8 report.

9 Q Right. And when that discrepancy report said we
10 didn't run the item, the computers know to go over to the
11 affidavit and say --

12 A Right.

13 Q -- we didn't run the time?

14 A Right because --

15 Q So there is a high degree of correlation?

16 A Yeah. How the system was set up, we have
17 different departments. Now, the traffic department designed
18 the log, would take the information, MCO would get the
19 information. The MCO would run it, give the exact times.
20 If there is any discrepancies, he would write down the
21 discrepancy on a discrepancy report.

22 The traffic department would get it again, go
23 through it right away, and find out anything that was
24 written down in the discrepancy report. She would also
25 personally go through the log, see if anything was crossed

1 out and times didn't match.

2 Then she would go through again and enter all the
3 information that the computer didn't enter in. So we do --
4 it's like a check and balance type system.

5 JUDGE SIPPEL: What does MCL stand for?

6 THE WITNESS: Oh, master control operator.

7 JUDGE SIPPEL: MCO?

8 THE WITNESS: Yes, master control operator, and
9 that's basically the person who runs the board, puts the
10 commercials on.

11 JUDGE SIPPEL: Thank you.

12 MR. BECHTEL: Judge what is your preference when
13 we number exhibits at this point? Left to my own devices, I
14 would just simply continue the sequential number that we
15 have, but if you prefer to have them numbered separately as
16 cross-examination exhibits, I want to know what you --

17 JUDGE SIPPEL: No, your system is fine, as long as
18 we can find them in the record, we'll find them. That's all
19 I need to know.

20 MR. BECHTEL: I'm going to hand to the witness,
21 the Court and counsel and the reporter a program log for
22 April 18, 19 -- a program log for April 8, 1992, starting
23 with a discrepancy cover sheet and then pages 1 through 8,
24 and I'd ask that this be marked for identification as Adams
25 Exhibit 4.

1 JUDGE SIPPEL: Now, wait just a second. Adams
2 Exhibit 4, before we had finished that marking process, we
3 have already got an Adams Exhibit 4 that was received in
4 evidence. It's the gray volume.

5 MR. SHOOK: Remember you renumbered your exhibits.

6 MR. COLE: That's right. It should be 9. It
7 should be 9, is that correct, Your Honor?

8 JUDGE SIPPEL: According to my list, it would be
9 nine.

10 MR. BECHTEL: Exhibit 9. Thank you.

11 JUDGE SIPPEL: Exhibit 9.

12 MR. BECHTEL: I'll try not to put in any more.

13 JUDGE SIPPEL: Please feel free.

14 Do you have that then, Ms. Reporter?

15 THE COURT REPORTER: Yes.

16 JUDGE SIPPEL: The witness is being shown a
17 document that's been marked as Adams Exhibit No. 9 for
18 identification.

19 (The document referred to was
20 marked for identification as
21 Adams Exhibit No. 9.)

22 MR. BECHTEL: This particular program log I pulled
23 as an example to ask a few questions to help understand the
24 nature of the log and for no other period. I did take it
25 out of the bowls of Appendix B though, so Mr. Shook, if you

1 really want to look at it, I didn't bring you a copy.

2 Somewhere in there you will find April 8, 1992.

3 BY MR. BECHTEL:

4 Q The cover page seems fairly self-explanatory.

5 This particular cover page reflects that you were on duty
6 from 1800 to 1600 hours; is that correct?

7 A That's correct.

8 Q And turning to the first page, and looking at the
9 time period of midnight until 1:00 in the morning --

10 A Um-hmm.

11 Q -- this reflects Home Shopping Network programming
12 plus two breaks; is that correct?

13 A From what time to?

14 Q From midnight to 1:00 in the morning.

15 A Two breaks, that's correct.

16 Q Okay, let's start with break number one.

17 A Mm-hmm.

18 Q What is HSM, 30 seconds in length?

19 A That is --

20 Q Shown as net, net over on the right-hand side.

21 A Yes. That is a promo that Home Shopping Club ran
22 themselves.

23 Q The next entry has a name there 60 and a C2-CM.
24 Interpret that for us.

25 A Okay. C2 is our code for commercial, and it was

1 commercial No. 2. And we had two commercials back to back
2 on the same tape, so it was a 30 second Gordon Phillips
3 commercial, and a 30 seconds B&G Glass.

4 Q The next line is Humane Society, 60, PA-13, PSA.
5 Interpret for us what that is, if you know.

6 A That is something we did for the Humane Society,
7 Berks County, each week, and had pets come into the studio,
8 and basically we created a 60-second PSA for them with live
9 animals.

10 Q PA-13 means that one --

11 A PI?

12 Q Let me ask that again. If there is a PA-13 for
13 Humane Society on another page of this log or another log,
14 it's the same spot; is that correct?

15 A Yes, for that week, yes.

16 Q If you had PA-14 for them or whatever, then that
17 would be a different spot?

18 A We changed it every week and kept it the same
19 number.

20 Q Okay. You do have some PSAs that you don't change
21 every week?

22 A That's correct. The ones that --

23 Q So that what I said, so then what I said would be
24 accurate for that PSA; that is to say, if you have that in a
25 different log in a different week, it would be the same

1 spot?

2 A It would be different animals. It would be --

3 JUDGE SIPPEL: No, no. Listen to the question.

4 BY MR. BECHTEL:

5 Q You've got a public service announcement for an
6 annual event, United Fund.

7 A Mm-hmm.

8 Q And you put that down as PA-13.

9 A Mm-hmm.

10 Q And you run that a couple of times this year, the
11 same spot, would PA-13 on each of those logs denote it's the
12 same spot?

13 A Yes.

14 Q And if it was on the second, and it was still the
15 same spot, it would denote the same spot, wouldn't it?

16 A Yes.

17 Q And there are occasions when you do run a spot
18 year after year?

19 A Yes.

20 Q Now, Rodeo Bloopers II, interpret that for us,
21 please.

22 A Those are PIs, per inquiry.

23 Q Those are PI? I didn't hear?

24 A PI, per inquiries.

25 Q That's a commercial spot?